



## APPENDIX

In the District Court of the United States for the  
Southern District of Texas, Galveston Division

Admiralty No. 1785

COMPANIA TRASATLANTICA, ADMINISTRADA POR EL  
ESTADO, LIBELANT

vs.

THE SPANISH STEAMER, "MANUEL ARNUS," HER  
ENGINES, ETC., AND TODD-GALVESTON DRY DOCKS,  
INC., RESPONDENTS

*The President of the United States of America,  
to the Marshal of the Southern District of  
Texas, Greeting:*

Whereas, the Honorable Thomas M. Kennerly,  
United States District Judge for the Southern  
District of Texas, has made an order in writing  
in the above entitled and numbered cause as  
follows:

*Final decree.*—This cause having duly  
come on to be heard on the 10th day of April,  
1943, on the petition of the United States  
of America, appearing specially and having  
been argued and submitted by the proctors  
for the respective parties, and the Court,  
after due deliberation, having rendered its  
opinion in writing, directing a decree dis-  
missing the libel herein,

Now, on motion of Douglas W. McGregor,

proctor for the United States of America, appearing specially, it is ordered that the opinion of this Court heretofore filed herein on the 15th day of April, 1943, be and it hereby is adopted as the Court's findings of fact and conclusions of law pursuant to Supreme Court Rule 46½, and it is ordered, adjudged, and decreed, that the libel herein be and the same hereby is dismissed for want of jurisdiction, and it is further

Ordered, adjudged, and decreed that all process heretofore issued herein, including the arrest of the steamship *Manuel Arnus* be vacated, and it is further

Ordered that the Marshal of this Court forthwith release the said vessel from his custody and deliver the same to the United States of America, and it is further ordered, adjudged, and decreed that all costs of court and of seizure incurred herein are here and now taxed against libellant.

T. M. KENNERLY,

*United States District Judge.*

Done at Houston, Texas, this 26th day of April, A. D. 1943.

Wherefore, you are hereby commanded to release the Steamship *Manuel Arnus*, from your custody and deliver same to the United States of America.

Wherein fail not! and due return of this writ make, showing how you have executed the same.

Witness the Honorable Thomas M. Kennerly, Judge of said Court and the seal thereof, at the City of Galveston, Texas, this 28th day of April, A. D. 1943.

HAL V. WATTS, *Clerk.*

[SEAL] By (S.) K. S. EVANS, *Deputy.*  
(Mrs. K. S. EVANS.)

Ad. No. 1785. Received 4/28/1943. Marshal's Docket No. 12288, 27/520. Compania Trasatlantica Administrada Por El Estado vs. The Spanish Steamer *Manuel Arnus*, her engines, et al. Writ of release. Issued, April 28, 1943. Hal V. Watts, Clerk; By K. S. Evans, Deputy. Returned and filed Apr. 30, 1943, Hal V. Watts, Clerk; By K. S. Evans, Deputy.

#### MARSHAL'S RETURN

Received this Writ of Release at Galveston, Texas, on April 28th, 1943, and on April 28th, 1943, at plant of Todd Galveston Dry Docks, Inc., I executed this writ of release by removing notices from forward and aft of S/S *Manuel Arnus*, and notifying Mr. R. J. Van Derwende, President of Todd Galveston Dry Docks, Inc. Further in compliance with orders of this Writ of Release I delivered said ship to the United States of America by notifying Mr. R. B. Wilkens, Jr., in the office of War Shipping Administration, Galveston, Texas.

M. F. HAMMOND,  
*United States Marshal.*

By (S.) IRA H. DEVINE,  
Ira H. Devine,  
*Deputy.*

#### CERTIFIED COPY

UNITED STATES OF AMERICA,  
*Southern District of Texas, ss:*

I, Hal V. Watts, Clerk of the United States District Court in and for the Southern District of Texas, do hereby certify that the annexed and foregoing is a true and full copy of the original Writ of Release issued

and dated April 28, 1943, in Cause No. 1785 on the Admiralty Docket of the Galveston Division of this Court, entitled *Compania Trasatlantica, Administrada Por El Estado, Libelant, vs. The Spanish Steamer, Manuel Arnus* her engines, etc. and Todd Galveston Dry Docks, Inc., Respondents, returned and filed April 30, 1943, with Marshal's Return thereon now remaining among the records of the said Court in my office.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Houston, Texas, this 1st day of February, A. D. 1944.

[SEAL]

HAL V. WATTS,  
By Hal V. Watts,

*Clerk.*

[No. 1785 AD. United States District Court, Southern District of Texas. *Compania Trasatlantica, Administrada Por El Estado, Libelant, vs. The Spanish Steamer, Manuel Arnus* her engines, etc., and Todd Galveston Dry Docks, Inc., respondents. Certified copy of Writ of Release.]

